

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE**

PETER L. CARATINI,

Plaintiff,

v.

JOHN POWELL, in his individual capacity as Administrator of South Woods State Prison; WILLIE BONDS, in his individual capacity as Administrator of South Woods State Prison; LISA SWIFT, in her individual capacity; OLIVER KELLER, in his supervisory and individual capacities; P. SHEPPARD, in his individual capacity; J. KUHLEN, in his individual capacity; A. HERNANDEZ, in his individual capacity; R. SWEENEY, in his individual capacity; A. DOOLEY, in his individual capacity; NURSE PRACTITIONER LISA R. MILLS, in her individual capacity; DENTIST RICHARD DOE, in his individual capacity; JOHN DOES 1-25, in their individual capacities; and JANE DOES 1-10, in their individual capacities,

Defendants.

Civil No. 20-8924 (RMB-MSJ)

**ORDER**

**RENÉE MARIE BUMB, Chief United States District Judge:**

**THIS MATTER** came before the Court upon the Motion to Dismiss the Fourth Amended Complaint filed by Defendants Bonds, Dooley, Hernandez, Keller, Kuhlen, Powell, Sweeney, Swift, and Sheppard (“Defendants”). Plaintiff Peter Caratini filed a brief in opposition to the Motion and Defendants filed a reply brief in further support

of dismissal. For the reasons expressed in the Opinion of today's date, and for good cause shown,

**IT IS**, on this 30th day of January 2025, hereby:

1. **ORDERED** that Defendants' Motion to Dismiss is **GRANTED** as to Counts II, III, V, VI, XII, XIII, XV, XVI;
2. **ORDERED** that Counts II, III, V, VI, XII, XIII, XV, XVI of the Fourth Amended Complaint are **DISMISSED WITHOUT PREJUDICE**;
3. **ORDERED** that Defendants' Motion to Dismiss with respect to Counts IV and XIV of the Fourth Amended Complaint, related to Plaintiff's disciplinary retaliation, is **CONVERTED** to a Motion for Summary Judgment; and it is finally
4. **ORDERED** that the parties shall take **LIMITED DISCOVERY**, with an expediated schedule to be set by United States Magistrate Judge Matthew J. Skahill, regarding the alleged due process retaliation and whether Plaintiff lost commutation time as a disciplinary sanction. Following the completion of limited discovery, Defendants may re-file their Motion as one for Summary Judgment.

**s/Renée Marie Bumb**  
RENÉE MARIE BUMB  
Chief United States District Judge